

Oral Testimony – Opposition to House Bill 88

Ohio House Criminal Justice Committee

November 12, 2025

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg and members of the House Judiciary Committee — thank you for the opportunity to provide written testimony in opposition to House Bill 88.

We've all heard the saying, "Watch what legislation does, not what it says." That's exactly how we should look at this bill. On paper, HB 88 claims it will reduce fentanyl use and make our communities safer. But in practice, it will do the opposite.

This bill drastically increases penalties for anyone caught with a substance that contains fentanyl — even if they had no idea it was in their supply. The reality is that most people using drugs today don't know what's been mixed into the substance. Under HB 88, many of them would face first-degree felonies — the harshest penalties we have — and long prison sentences.

That means we would be sending addicted Ohioans, people who need treatment and recovery, into prisons instead of treatment centers. During my many decades working in corrections, I've seen firsthand that punishment doesn't stop addiction — treatment does.

We've already tried this approach for years. Our prisons are full of nonviolent people struggling with addiction, and fentanyl is still ravaging our communities. It hasn't made us safer — it's only made us poorer and more divided.

Aside from policy concerns, we cannot ignore the cost. HB 88 would add \$60M dollars each year to our prison system and could even require another prison to be built — all to lock up people who are sick, not dangerous. That money would be far better spent on prevention, treatment, and recovery programs that actually save lives.

If our goal is to stop the flow of fentanyl, then we must focus on those who traffic and profit from it — not on the people trapped by addiction.

I urge this committee to look closely at what this bill will really do. Instead of saving lives, it will destroy more of them.

Let's choose a smarter, more compassionate path — one that holds traffickers accountable and helps addicted Ohioans heal.

Thank you for your time and consideration.

Gary Mohr, Former ODRC Director